

COPY



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/796,164 02/06/97 STAMLER

J DUK96-03PA3

DOCKETED

0242/0505

NOT ASSIGNED

CAROL A EGNER
HAMILTON BROOK SMITH & REYNOLDS
TWO MILITIA DRIVE
LEXINGTON MA 02173-4799

7-597
DSD

1811

DATE MAILED:

05/05/97

NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 130.00 for a ☐ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ large entity ☐ small entity (verified statement filed), is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required. Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are:

- ☐ missing.
- ☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

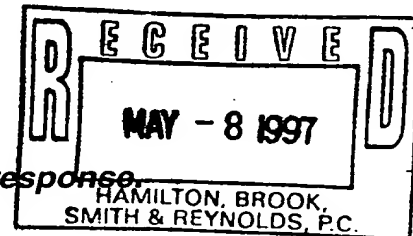
☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$ _____ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the response.



Customer Service Center
Initial Patent Examination Division (703) 308-1202

DU963pA3,INC
DEB163/Patents
DEB/jks
6/17/97

PATENT APPLICATION
Docket No.: DUK96-03pA3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jonathan S. Stamler and Andrew J. Gow

Serial No.: 08/796,164

Group Art Unit: Not available

Filed: February 6, 1997

Examiner: Not available

Title: MODIFIED HEMOGLOBINS, INCLUDING NITROSYL HEMOGLOBINS, AND
USES THEREFOR

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with
the United States Postal Service with sufficient postage as First
Class Mail in an envelope addressed to Honorable Commissioner
of Patents and Trademarks, Washington D.C. 20231

on 6/17/97

Date

Signature

Anita Heckman

Typed or printed name of person signing certificate

RESPONSE TO NOTICE OF INCOMPLETE RESPONSE

Attention: Box Missing Parts
The Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

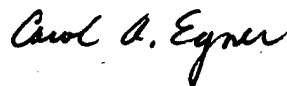
Applicants' Attorney has received a Notice of Incomplete Response in the referenced case. This Notice indicates that the application is incomplete because the Declaration and Surcharge have not been received.

Applicants' Attorney mailed a Verified Statement Claiming Small Entity Status to the Patent Office on April 3, 1997 and it was received in the USPTO mailroom on April 7, 1997.

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Subsequently, on May 5, 1997, the Patent Office mailed a Notice to File Missing Parts. In response to that Notice, on May 19, 1997, Applicants' Attorney filed two executed Declaration/Power of Attorney documents, together with a surcharge in the amount of \$65.00. These were received in the USPTO mailroom on May 21, 1997. Copies of the Notice, Transmittal of Declaration/Power of Attorney, executed Declaration and postcard receipt evidencing receipt at the USPTO on May 21, 1997 are enclosed for the convenience of the Patent Office. Also enclosed is Part 2 of the Notice of Incomplete Response, dated June 11, 1997, as required.

Respectfully submitted,



Carol A. Egner
Registration No. 38,866
Attorney for Applicants
(617) 861-6240

Lexington, Massachusetts 02173

Dated: June 17, 1997



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/796,164 02/06/97 STAMLER

J DUK96-03PA3

0212/0611

CAROL A EGNER
HAMILTON BROOK SMITH & REYNOLDS
TWO MILITIA DRIVE
EXINGTON MA 02173-4799

NOT ASSIGNED

DATE MAILED 06/11/97

NOTICE OF INCOMPLETE RESPONSE
Filing Date Granted

06/11/97

Applicant's response of 4-7-97 has been entered into the record. However, the application still remains incomplete for the following reason(s).

☐ 1. The filing fee has not been received. The amount of \$ _____ is due.

☒ 2. The surcharge of \$ 65 has not been received.

☒ 3. The declaration has not been received.

☐ 4. The oath or declaration is not executed in compliance with 37 CFR 1.64(a) because:

☐ a. The inventor's signature is missing.

☐ b. The signature is missing for inventor(s) _____

☐ c. The application is one filed under 37 CFR 1.42, 1.43, or 1.47, and the oath or declaration is not executed by the person(s) qualified to make the oath or declaration.

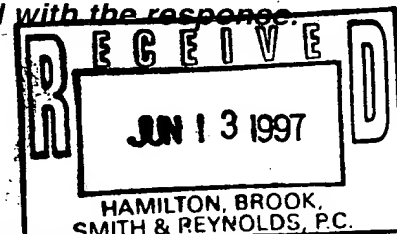
To prevent **ABANDONMENT** of this application, a complete response is required.

The period for response remains as set forth in the Notice to File Missing Parts dated 5-5-97. However, you may obtain **EXTENSIONS OF TIME** under the provisions of 37 CFR 1.136(a) by filing a petition accompanied by the appropriate fee (37 CFR 1.17).

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the response.

J. M.
Customer Service Center
Initial Patent Examination Division (703) 308-1202



PART 2-COPY TO BE RETURNED WITH RESPONSE

DU963pA3.TDC
CAE 25
DEB/CAE/ach
5/19/97

COPY

PATENT APPLICATION
Docket No.: DUK96-03pA3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jonathan S. Stamler and Andrew J. Gow

Serial No.: 08/796,164

Filed: February 6, 1997

For: MODIFIED HEMOGLOBINS, INCLUDING
NITROSYLHEMOGLOBINS, AND USES THEREFOR

67369 U.S. PTO
06/19/97

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

on 5/19/97 *Anita Heckman*
Date Signature

Anita Heckman

Typed or printed name of person signing certificate

TRANSMITTAL OF DECLARATION/POWER OF ATTORNEY

Box Missing Part
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts dated May 5, 1997, enclosed herewith are two executed Declaration/Power of Attorney documents (6 sheets) for filing in the captioned application. A copy of the Notice is attached together with a check in the amount of \$65.00

COPY

-2-

in payment of the surcharge for a Small Entity. A Verified Statement was filed on April 3, 1997.

Please charge Applicant's Attorney's Deposit Account No. 08-0380 for any additional fees that may be due in this matter. Two duplicate copies are enclosed for that purpose.

Respectfully submitted,

Carol A. Egner

Carol A. Egner
Attorney for Applicants
Registration No. 38,866
Telephone: (617) 861-6240

Lexington, Massachusetts 02173

Date: *May 19, 1997*

COPY

DEB/CAE/ach

DUK96-03pA3

May 19, 1997

This will acknowledge receipt of

DECLARATION/POWER OF ATTORNEY (6 sheets, 1 sheet of
Letter w/2 copies, Copy of PTO-1533, Check for \$1.00,
Certificate of Mailing

Applicants: Jonathan S. Stamler and Andrew I. Gow
Serial No.: 08/796,164
Filed: February 6, 1997
Title: MODIFIED HEMOGLOBINS, INCLUDING
NITROSYLHEMOGLOBINS, AND USES THEREFOR

Date received by PTO:

67369 U.S. PTO



06/19/97

